

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

<b>Case No.</b>	CV 22-5742 PA (SKx)	<b>Date</b>	August 22, 2022
<b>Title</b>	Jorge Alejandro Rojas v. Owner of Telephone Number 424-234-2076.		

<b>Present: The Honorable</b>	PERCY ANDERSON, UNITED STATES DISTRICT JUDGE
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Kamilla Sali-Suleyman

N/A

N/A

Deputy Clerk

Court Reporter

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

None

None

**Proceedings:** IN CHAMBERS—ORDER TO SHOW CAUSE

Before the Court is a Complaint filed by plaintiff Jorge Alejandro Rojas (“Plaintiff”), who is appearing pro se. The Complaint brings claims for violation of the Telephone Consumer Protection Act, 47 U.S.C. § 227, against defendant, the Owner of Telephone Number 424-234-2076 (“Defendant”). Plaintiff alleges that he is a resident and citizen of Illinois and that Defendant “is a construction company and/or a call center on behalf of a construction center engaging in telemarketing to obtain business.” (Compl. ¶¶ 8 & 23.) The Complaint alleges that Defendant made unsolicited telemarketing calls to Plaintiff’s cell phone without consent.

The Complaint alleges in conclusory fashion:

6. This Court has personal jurisdiction over Defendant as it regularly and systemically conducts business in the state of California. Specifically, the Defendant conducts significant business in the State. The wrongful conduct giving rise to this case occurred in, was directed to, and/or emanated from this District.

7. Venue is proper under 28 U.S.C. § 1391(b)(2).

(Compl. ¶¶ 6-7.) These conclusory allegations are insufficient to support venue or personal jurisdiction over Defendant in the Central District of California. *Cf. Costlow v. Weeks*, 790 F.2d 1486, 1488 (9th Cir. 1986); *Johnson v. L.*, 19 F. Supp. 3d 1004, 1010 (S.D. Cal. 2014). It is unclear whether the alleged improper calls to Plaintiff were made from or received in this District. Indeed, Plaintiff does not allege that he was physically present in this judicial district at the time he received any of the telephone calls or whether any of those calls originated here.

The Court orders Plaintiff to show cause, in writing not to exceed 15 pages, why venue is proper in the Central District of California (the “Central District”), and why this action should

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not be dismissed or transferred to another district for the convenience of the parties and witnesses, and in the interest of justice. See 28 U.S.C. §§ 1404, 1406. All factual matters relied upon in the submission must be supported by appropriate declarations and admissible evidence. To assist the Court in determining whether transfer is appropriate and in the interest of justice, Plaintiff is directed to address the following:

1. Whether this action could have been brought in the United States District Court for the Northern District of Illinois (“Northern District of Illinois”);
2. Whether venue is appropriate in the Northern District of Illinois;
3. What contacts, if any, each of the parties has to the Central District and the Northern District of Illinois. The parties should include information regarding the location of their administrative offices, real property, sources of revenue, and points of public contact;
4. Which alleged unlawful practices occurred within the Central District;
5. What specific facts, if any, establish that the Court possesses personal jurisdiction over Defendant;
6. Which witnesses are expected to be called and where they reside;
7. The availability of compulsory process to compel attendance of unwilling non-party witnesses in the Central District as compared to the Northern District of Illinois;
8. The ease of access to sources of proof in each of the two forums;
9. The expected difference in the cost of litigation in the Central District as compared to the Northern District of Illinois; and
10. Whether there are any alternative forums, other than the Central District and the Northern District of Illinois, that would be more convenient for this action, keeping in mind the inquiries above.

Plaintiff is ordered to personally serve a copy of this Order on any defendant that has already been served with the Complaint within three (3) court days of the date of this Order or at the time of service for any defendant that has not already been served. Plaintiff is ordered to file

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his Response to this Order no later than September 5, 2022. Defendant may file a Response no later than September 20, 2022. Failure to timely and adequately respond to this Order may result in the dismissal or transfer of this action without further warning.

IT IS SO ORDERED.